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MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: January 25, 2021
Subject: Bill Brief on HB 2082

HB 2082 authorizes the crime victims compensation board to waive application time restrictions for a victim of a sexually violent crime to receive compensation for mental health counseling and adds certain children to the definition of victim.

Section 1 amends K.S.A. 74-7301 to define “victim” to include “witnessing a violent crime when the person was 16 years of age or younger at the time the crime was committed.” Section 2 amends K.S.A. 74-7305 to require the board to make available on its website a method for submitting an online application. Current law requires an application to be made within two years of reporting the incident to law enforcement. This bill would make the time frame within two years of reporting the incident to law enforcement, seeking medical attention for the incident or filing a petition for a protection order related to the incident, whichever is earlier.

Current law provides that compensation cannot be awarded unless the conduct was reported to law enforcement within 72 hours or the board finds good cause for the failure to report. This bill would remove the 72 hour reporting requirement and add the claimant seeking medical attention or filing a petition for a protection order as reasons that compensation can be awarded.

This bill would also remove the ability for the board to deny, withdraw or reduce compensation on a finding that the claimant has not fully cooperated with law enforcement.